

Alex Padilla
California Secretary of State

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AP19:020

FOR IMMEDIATE RELEASE

February 27, 2019

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Secretary of State Alex Padilla Sets Deadline for Counties to Retire Old Voting Machines and Modernize Election Infrastructure

SACRAMENTO – In an effort to strengthen the security of California's election infrastructure, Secretary of State Alex Padilla has initiated the process for withdrawing certification or conditional approval of voting systems that were not tested or certified under the most recent state security standards. County elections officials must now implement a voting system that meets the state's newest testing and certification standards in time for the March 3, 2020 Presidential Primary Election.

In 2015, California updated its voting system certification and testing standards — known as the California Voting System Standards. Since then, 20 of California's 58 counties have purchased voting systems that meet these higher standards, while several other counties have started the process of upgrading their systems. However, many counties are still using legacy systems that were not tested to the latest California Voting System Standards.

"Throughout California, many counties are using voting systems that are at or near their life expectancy," Secretary of State Alex Padilla said. "Some counties use machines that are so old that vendors no longer make replacement parts. Some counties utilize operating systems that are so old that they are no longer supported and security upgrades are not available. While county officials have worked diligently to keep equipment up and running, our democracy faces increasingly sophisticated threats from nefarious actors, both foreign and domestic. The time is now for all California counties to modernize voting equipment."

"As California's Chief Elections Official, I have a fundamental responsibility to ensure the security and integrity of our elections. To that end, I have initiated the process for withdrawing certification or conditional approval of voting systems that were not tested or certified under our most recent state standards," Padilla said.

"The state budget for the current year includes \$134.3 million for counties to upgrade or replace aging voting systems. This funding can only be used by counties to purchase or lease a California Voting System Standards compliant system. The state has demonstrated its commitment to the modernization of our election infrastructure. I'm urging all local elections officials to now follow suit," Padilla added.

In a February 12, 2019 hearing of the U.S. House of Representatives Committee on Homeland Security, DHS Director Christopher Krebs testified that **"It will take significant and continual investment to ensure that election systems across the nation are upgraded and secure, with vulnerable systems retired. These efforts require a whole of government approach."** (<https://homeland.house.gov/sites/democrats.homeland.house.gov/files/documents/Testimony-Krebs.pdf>)

In 2018, then-Governor Jerry Brown approved a state budget providing \$134.3 million for counties to purchase new voting systems and equipment. Counties must provide a dollar for dollar match to use these funds.

Last year, Congress also approved the final appropriation of funds to states from the 2002 Help America Vote Act (HAVA). Secretary Padilla designated \$20 million of these funds to help counties purchase new voting equipment as they transition to the Voter's Choice Act.

"Free and fair elections are the bedrock of American democracy, and up-to-date voting technology is an essential part of that process," said Lawrence Norden, deputy director of the Brennan Center for Justice's Democracy Program. "Today's news moves California away from old machines that are reaching the end of their lifespan, and towards more reliable and secure systems. It's a transition that's possible in part because both Congress and the state legislature prioritized funding for new machines over the past year, but more resources are still needed. We hope federal and state lawmakers around the country will provide sufficient funds to fully upgrade voting systems before the 2020 election. Doing so will improve voter confidence in the process, and help ensure that every vote is counted as cast on Election Day."

The following three voting systems have been tested and certified to the California Voting System Standards:

- Dominion Voting Inc.'s Democracy Suite 5.2 Voting System
- The County of Los Angeles' Voting Solutions for All People (VSAP) Tally 1.0 System
- HART InterCivic's Verity Voting 3.0.1 Voting System.

In addition, the following three voting systems are currently being tested and reviewed to the California Voting System Standards:

- Dominion Voting Systems, Inc. - Democracy Suite 5.10;
- County of Los Angeles - Voting Solutions for All People (VSAP) Tally Version 2.0; and
- Election Systems and Software, Inc. - EVS 6.0.4.2

Click here for a complete list of voting systems currently used by California counties for the 2018 General Election.
(<https://votingsystems.cdn.sos.ca.gov/oversight/county-vsystech-by-counties-2018-3.pdf>)

All other systems previously certified or conditionally approved will no longer be certified or conditionally approved effective August 27, 2019, as provided in California Elections Code section 19232.

Elections Code section 19202 requires voting systems to be certified or conditionally approved in order to be used by a jurisdiction in the state. Jurisdictions that are currently using voting systems that have not been tested and certified to the California Voting System Standards must implement a voting system that has been tested and certified to the new standards.

The Secretary of State recognizes that there may be circumstances where it is not feasible for a county to purchase and deploy a new voting system before the March 3, 2020 Presidential Primary. Counties can submit a Request for Extension of Conditional Use of their legacy systems, in writing to the Secretary of State's office by April 5, 2019. To be considered, such requests must include a specific plan and schedule for the county to move to a system certified under the California Voting Systems Standards.

Secretary Padilla is prepared to work in partnership with all California counties to deploy a modern voting system as soon as it is practically feasible.

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